

J.C. Watts, Jr.
Chairman
4th District, Oklahoma

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.Con.Res. 68—FY 2000 Budget Resolution (Conference Report)

H.R. 472—Local Census Quality Check Act

H.J. Res. 37—Tax Limitation Constitutional Amendment



H.Con.Res. 68—FY 2000 Budget Resolution (Conference Report)

Floor Situation: The House is scheduled to consider the conference report to H.Con.Res. 68 as its first order of business today. Conference reports are privileged and may be considered any time three days after they are filed. They are debatable for one hour, may not be amended, and are subject to one motion to recommit. They do not require a rule for consideration. Yesterday, the Rules Committee granted a rule waiving all points of order against the conference report and its consideration.

Summary: The conference report to H.Con.Res. 68 establishes a blueprint for the congressional budget for FY 2000 and sets budget levels for FYs 2001-2009. While maintaining the discretionary spending caps established by the 1997 Balanced Budget Act (*P.L. 105-33*), the measure calls for tax cuts of \$15 billion next year (fully offset by non-Social Security surplus funds), \$142 billion over five years, and \$778 billion over 10 years. The report requires the House Ways & Means Committee to report a tax cut bill by July 16, 1999, and the Senate Finance Committee to do so by July 23.

The measure reserves the entire 10-year projected Social Security surplus of \$1.8 trillion to provide long-term solvency for both Social Security and Medicare. The conference report establishes a point of order against any budget resolution that projects an on-budget deficit in any given fiscal year. The point of order may be waived by a simple majority vote in the Senate. This effectively prevents Congress from using Social Security surpluses to finance other government programs, thus creating a so-called “safe deposit box.”

Unlike the House-passed resolution, the report calls for the creation of a reserve fund to accommodate future legislation to expand prescription drug coverage for Medicare recipients.

The report calls for:

- * an increase in spending for national defense to \$288.8 billion (a \$9.9 billion increase over FY 1999) in budget authority (BA) and \$276.6 billion in outlays in FY 2000;
- * an increase in spending for Medicare to \$208.7 billion (\$13.5 billion more than FY 1999) in BA and \$208.7 billion in outlays in FY 2000;
- * a decrease in spending in international affairs to \$12.5 billion in BA and \$14.9 billion in outlays in FY 2000;
- * an increase in transportation-related spending to \$51.8 billion (\$500 million more than FY 1999) in BA and \$45.8 billion in outlays in FY 2000;
- * a total of \$407.2 billion (\$16.6 billion more than the FY 1999 level) in BA and \$407.3 billion in outlays for Social Security (including off-budget spending) in FY 2000; and
- * \$6 billion in mandatory spending through FY 2004 to assist in reforming the crop insurance program.

The House passed H.Con.Res. 68 by a vote of 221-108 on March 25, 1999, and the Senate passed its version (S.Con.Res. 20) by a vote of 55-44 on the same day.

Views: The Republican leadership supports passage of the conference report. An official Clinton Administration view was unavailable at press time.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #9, Pt. II, April 13, 1999. For details on H.Con.Res. 68 as it went to the House floor, see *Legislative Digest*, Vol. XXVIII, #8, Pt. II, March 23, 1999.



H.R. 472—Local Census Quality Check Act

Floor Situation: The House will consider H.R. 472 after it completes consideration of H.Con.Res. 68. Yesterday, the Rules Committee granted a structured rule providing one hour of general debate, equally divided between the chairman and the ranking minority member of the Government Reform Committee. The rule self-executes (i.e., incorporates into the base text of the bill upon passage of the rule) a manager's amendment to make technical changes to the bill. It also makes in order one amendment by Mrs. Maloney or her designee, debatable for one hour. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 472 requires the Census Bureau to establish a voluntary process for post-census local review (PCLR) to allow local governments to review official census household counts, jurisdictional boundaries, and other data in order to identify discrepancies or other problems before the census numbers become final. The bill essentially makes permanent a process used by the Census Bureau during the 1990 census.

Specifically, the bill requires the Census Bureau to submit guidelines for participating in post-census local review to localities by February 1 of the year in which the census is taken. The bureau must later submit appropriate block level maps and lists of housing units. By August 1 of that same year, or 30 days after completing the non-response follow-up stage of the census, the bureau must submit census data subject to review to participating local governments. The bill then allows these local governments 45 business days after the completion of the non-response follow-up stage of the census in their locality to review the official housing counts and submit any challenges. The bill requires the bureau to notify the affected localities about the disposition of any challenges by November 1.

PCLR is designed to improve the accuracy of the census by helping pinpoint such problems as missed housing clusters, geographic misallocation, or misrepresented political boundaries. PCLR supplements the Census Bureau's planned Local Update of Census Addresses program (LUCA) to bolster and help correct the Master Address File (MAF; the final and complete list) prior to the census. The Census Bureau used a PCLR process in 1990, giving localities only 15 days to challenge census figures. Of the localities that participated in the 1990 post-census local review process, nearly 70 percent challenged Census Bureau figures, helping the bureau identify over 80,000 missed housing units that were then added to the nationwide count. Local reviews were especially helpful in rapidly growing suburban areas, correcting Census Bureau failures to count city blocks, zip codes, subdivisions, and newly annexed areas. CBO estimates that enactment of H.R. 472 will cost between \$10-\$20 million. The bill was introduced by Mr. Miller (FL) Government Reform Committee ordered H.R. 472 reported by a vote of 23-21 on March 17, 1999.

Views: The Republican Leadership strongly supports passage of H.R. 472. The Clinton Administration opposes the bill and has pledged to veto it.

Amendments: The *Legislative Digest* was aware of the following amendment to H.R. 472 at press time:

Mrs. Maloney may offer a substitute amendment to require the Census Bureau to develop a program to allow local governments to review housing unit counts, jurisdictional boundaries, or other data that the Commerce Secretary deems appropriate to use to identify discrepancies in population counts. The amendment grants the secretary the discretion to determine when and in what form or manner the local governments may participate. It does not affect any other local participation rights under current law, such as those provided by the 1994 Census Address List Improvement Act, which allows local governments to submit address information to the Census Bureau and designate census liaisons to review and recommend to the bureau's national address list. Finally, the amendment requires that any opportunity for local participation be afforded in a manner that allows the Census Bureau to derive quality-control corrected population counts (i.e., use statistical sampling) in a timely manner. Proponents of this amendment argue that passage will address local government concerns *and* allow the Census Bureau to use statistical methods to complete an accurate population count. Opponents counter that the amendment will gut the bill because the Commerce Secretary, who has publicly opposed Post-Census Local Review (PCLR), will not allow local review in a manner that will allow localities any meaningful input into the process. **Contact: x5-7944**

Additional Information: See *Legislative Digest*, Vol. XXVIII, #9, April 9, 1999.



H.J. Res. 37—Tax Limitation Constitutional Amendment

Floor Situation: The House will consider H.J. Res. 37 after it completes consideration of H.R. 472. Yesterday, the Rules Committee granted a structured rule that provides three hours of debate, equally divided between the chairman and ranking member of the Judiciary Committee. The rule provides for one hour of debate on an amendment, if offered by Mr. Gephardt or his designee. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.J. Res. 37 proposes an amendment to the Constitution to require a two-thirds majority vote for passage of any legislation that will result in a tax increase (of more than a de minimis amount) when considered by the House and Senate. The bill allows Congress to waive this supermajority requirement to pass a tax increase (1) during a period of declared war between the U.S. and another country, or (2) when Congress and the president enact a resolution stating that the U.S. is engaged in a military conflict that threatens national security. Tax legislation enacted under this waiver can be in force for no longer than two years after its enactment.

Any proposed amendment to the Constitution must receive a two-thirds majority vote of members present and voting in the House and Senate in order to be forwarded to the states for ratification. A total of 38 state legislatures, or 75 percent, must support the proposed amendment within seven years of its passage by Congress in order for it to become effective.

CBO estimates that enactment will have no significant impact on the federal budget. The resolution was introduced by Mr. Barton and was not reported by a House committee.

Views: The Republican leadership supports passage of the resolution. The president is not required to sign a proposed amendment to the Constitution; however, the administration has expressed opposition to the resolution.

Amendments: Although the rule makes in order a possible amendment by Mr. Gephardt or his designee, the *Legislative Digest* was unaware at press time of any such amendment or whether the minority leader intends to offer one.

Additional Information: See *Legislative Digest*, Vol. XXVIII, #9, April 9, 1999.



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